IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 6693 of 1997

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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DHARAMSINH ARJANBHAI SOLANKI - Petitioner(s)

Versus

COLLECTOR & 2 - Respondent(s)

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Appearance :

MR GIRISH PATEL for Petitioner(s) : 1,
GOVERNMENT PLEADER for Respondent(s) : 1 - 2.
NOTICE SERVED for Respondent(s) : 3,

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 21/01/2006

ORAL JUDGMENT

1. Learned advocate for the petitioner prays for limited prayer made in Paragraph 15(a) of the petition which reads as under:

> *"(a) Be pleased to direct the respondents to give to the petitioner the documents – pertaining to land bearing survey No. 29/3, admeasuring 7 A. 15 Gs. Situated within Sihor Nagarpalika, particularly 7/12 Extract, Form No. 6 (Mutation entries) Form No. 8 – A and Vada Patrik, if any, from the year 1947 onwards upto 1997."*

2. After some discussion at the Bar, he agreed that the remaining question raised in the petition cannot be decided in the present petition atleast at this stage, in view of the reply filed by the State Government. He further submitted that for the limited extent the petitioner has prayed for being supplied the documents pertaining to land survey No. 29/3 admeasuring 7 Acres and 15 Gunthas situated in Sihor Nagarpalika, the respondents cannot deny the request of the petitioner for being supplied certified copies of necessary entries of the revenue records. Though detailed affidavit-in-reply has been filed by the State Government contending primarily that the petitioner has no right, title and interest over the said property and the land in question belongs to the government, no reason is stated why the request made to the State Government for being granted certified copies of extract of revenue records cannot be allowed.

3. The copies of records which the petitioner is asking for are public records and I see no reason why the

petitioner should not be given certified copies of the extract of the revenue records upon payment of prescribed fees and making an application in prescribed form, if any, provided under the rules.

4. In the result, it is directed, that if the petitioner files an application before Respondent Nos. 2 and 3 for being given certified copies of the extract of the revenue records of the land in question and also pays prescribed fees, certified copies thereof, shall be supplied to him as expeditiously as possible to the extent the records are available.

5. With these directions, the petition is disposed of. Rule made absolute to the limited extent. No order as to costs.

[AKIL KURESHI, J.]

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